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6 Attorneys for Defendants  
 Uber Technologies, Inc.; Rasier, LLC; and  
 7 Rasier-CA, LLC

8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN FRANCISCO DIVISION**

11 L.A. Taxi Cooperative, Inc. dba Yellow Cab	)	Case No. 3:15-cv-01257-JST
Co.; Administrative Services SD, LLC dba	)	
12 Yellow Radio Service; All Yellow Taxi, Inc.	)	<b>STIPULATION TO MODIFY</b>
dba Metro Cab; American Cab, LLC;	)	<b>CONSOLIDATED JOINT CASE</b>
13 American Cab, LLC dba Pomona Valley	)	<b>MANAGEMENT SCHEDULE</b>
Yellow Cab; Bell Cab Company, Inc.; TM-	)	
14 MTM, Inc.; Big Dog City Corporation dba	)	
Citywide Dispatch, Citywide Taxi, and Big	)	
15 Dog Cab; Cabco Yellow, Inc. dba California	)	
Yellow Cab; C&J Leasing, Inc. dba Royal	)	
16 Taxi; G&S Transit Management, Inc.; Gorgee	)	
Enterprises, Inc.; LA City Cab, LLC; Long	)	
17 Beach Yellow Cab Co-operative, Inc.;	)	
Network Paratransit Systems, Inc.; South Bay	)	
18 Co-operative, Inc. dba United Checker Cab;	)	
Taxi Leasing, Inc. dba Yellow Cab of Ventura	)	
19 County; Tri-City Transportation Systems, Inc.;	)	
Tri Counties Transit Corporation dba Blue	)	
20 Dolphin Cab of Santa Barbara, Yellow Cab of	)	
Santa Maria, and Yellow Cab of San Luis	)	
21 Obispo; and Yellow Cab of South Bay Co-	)	
operative, Inc. dba South Bay Yellow Cab,	)	
22	)	
Plaintiffs,	)	
23	)	
vs.	)	
24	)	
Uber Technologies, Inc.; Rasier, LLC; and	)	
25 Rasier-CA, LLC,	)	
26	)	
Defendants.	)	

1 Plaintiffs have requested a slight modification of the Consolidated Joint Case Management  
 2 Schedule, to which Defendants have agreed subject to Court approval. Specifically, this  
 3 Stipulation seeks modification of the Consolidated Joint Case Management Schedule to extend the  
 4 deadline for Plaintiffs to take the deposition of Defendants' Rule 30(b)(6) corporate designee on  
 5 Uber's financial statements, and to exchange opening and rebuttal expert reports on causation and  
 6 damages, with depositions of these experts to follow the exchange. No other discovery deadlines  
 7 are affected by this Stipulation (including the expert discovery deadlines for all other experts), nor  
 8 is the trial date or pretrial conference date affected by this Stipulation. The parties submit this  
 9 Stipulation pursuant to Civil Local Rule 7-12 and Federal Rule of Civil 16(b)(4). The parties  
 10 stipulate as follows:

11 WHEREAS, on March 18, 2015, Plaintiffs commenced this action. (Dkt. No 1).

12 WHEREAS, on January 25, 2016, the Court consolidated this matter with *Rosen v. Uber*  
 13 *Technologies, Inc.*, 3:15-cv-03866-JST ("*Rosen*") for purposes of discovery. (Dkt. No. 74).

14 WHEREAS, on February 8, 2016, this Court entered a Consolidated Joint Case  
 15 Management Schedule (Dkt. No. 79), which sets forth the following deadlines pertinent to this  
 16 Stipulation: (1) the fact discovery cut-off is November 11, 2016; (2) designation and opening  
 17 reports of experts are due November 18, 2016; (3) the designation and reports of rebuttal experts  
 18 are due January 13, 2017; (4) and the expert discovery cut-off is February 10, 2017. Trial in the  
 19 matter is scheduled to commence on July 24, 2017.

20 WHEREAS, on November 7, 2016, the parties filed a letter brief with Magistrate Judge  
 21 Ryu regarding a dispute over the production of Uber's financial information. (Dkt. 100) ("Joint  
 22 Letter Brief").

23 WHEREAS a Magistrate Judge Ryu has not yet rendered a decision on the parties' Joint  
 24 Letter Brief.

25 WHEREAS twenty five depositions have been taken in this matter, including the  
 26 deposition of Uber's 30(b)(6) witness on all topics other than Defendants' financial statements.

27 WHEREAS Plaintiffs maintain that a modification of the Scheduling Order is necessary so  
 28 that Plaintiffs may take a Rule 30(b)(6) deposition of Defendants' corporate designee on

1 Defendants' financial statements after the Court rules on the parties' Joint Letter Brief. A further  
 2 modification is necessary to allow Plaintiffs to submit their expert report on damages, which will  
 3 be based in part on Defendants' financial information, after the deadline to exchange expert  
 4 reports and to give Defendants time to respond to this report accordingly.

5 WHEREAS the following stipulation applies only to the present matter only and does not  
 6 affect the calendar or the Court's order regarding scheduling in *Rosen*.

7 WHEREAS, for the reasons stated in this Stipulation, good cause exists to modify the Joint  
 8 Case Management Schedule.

9 NOW, THEREFORE, the parties, by and through their respective attorneys, stipulate and  
 10 agree that, subject to Court approval, the Consolidated Joint Case Management Schedule should  
 11 be modified as follows:

12 If Magistrate Judge Ryu rules in favor of Plaintiffs with respect to the Joint Letter Brief,  
 13 the following schedule will apply:

14 (a) Within five court days of Defendants' production of financial  
 15 information pursuant to Magistrate Judge Ryu's order, Plaintiffs will  
 16 take the Rule 30(b)(6) deposition of Defendants' corporate designee  
 17 regarding Uber's financial statements, or, if the designee is not  
 18 available within those five court days, the first date available  
 19 thereafter.

20 (b) Within fourteen calendar days of the deposition, Plaintiffs will  
 21 submit their expert report on causation and damages.

22 (c) Defendants will then have eight weeks from the date of receipt of  
 23 Plaintiffs' damages report to disclose Defendants' rebuttal expert(s)  
 24 and serve expert reports on causation and damages (which is the  
 25 current period set forth in the Case Management Schedule between  
 26 the date of service of opening reports and the date of service of  
 27 rebuttal reports). Plaintiffs agree that no causation or damages  
 28

1 expert report is necessary from Defendants other than a rebuttal  
2 report.

3 If Magistrate Judge Ryu rules in favor of Defendants with respect to the Joint Letter Brief,  
4 the following schedule will apply:

5 (a) Within five court days of Magistrate Judge Ryu's ruling,  
6 Plaintiffs will take the Rule 30(b)(6) deposition of Defendants'  
7 corporate designee regarding Uber's financial statements, or, if the  
8 designee is not available within those five court days, the first date  
9 available thereafter.

10 (b) Within fourteen calendar days of the deposition, Plaintiffs will  
11 submit their expert report on causation and damages.

12 (c) Defendants will then have eight weeks from the date of receipt of  
13 Plaintiffs' damages report to disclose Defendants' rebuttal expert(s)  
14 and serve expert reports on causation and damages (which is the  
15 current period set forth in the Case Management Schedule between  
16 the date of service of opening reports and the date of service of  
17 rebuttal reports). Plaintiffs agree that no causation or damages  
18 expert report is necessary from Defendants other than a rebuttal  
19 report.

20 This Stipulation does not affect the deadline to designate and exchange reports of any other  
21 experts. If any of the modifications above require an additional modification of the February 10,  
22 2017 expert discovery cut-off (such as the depositions of the causation and damages experts), the  
23 parties will meet and confer and propose a reasonable extension subject to Court approval. No  
24 other dates in the Consolidated Joint Case Management Schedule (Dkt. No. 79) are affected by  
25 this Stipulation.

26 **IT IS SO STIPULATED.**

27 //

28 //

1 Dated: November 14, 2016

By: /s/ A. Matthew Ashley

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7 Dated: November 14, 2016

By: /s/ George Schieffelin Trevor

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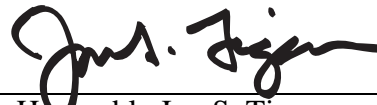
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13 Attorneys for Plaintiffs

14 **[PROPOSED] ORDER**

15  
16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17 Dated: November 14, 2016

18 

19 The Honorable Jon S. Tigar  
20 United States District Judge